



MOUNTAINS RECREATION & CONSERVATION AUTHORITY

Los Angeles River Center and Gardens

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M E M O R A N D U M

DATE: November 2, 2005
TO: All Staff
FROM: Joseph T. Edmiston, Executive Officer
Mountains Recreation and Conservation Authority
RE: Land Failure Policy

The following outlines the general procedure to be followed by MRCA personnel in the event of a land failure (landslide, mudslide, rockslide, sink hole, etc.) originating or involving property owned by the MRCA that has caused damage to or obstruction of any adjacent property owned by a third party. All questions regarding this policy shall be directed to Staff Counsel Jeff Maloney.

I. First Contact

Upon first learning of a land failure that may involve MRCA property, all information and any calls shall be forwarded to the Franklin Canyon/Ranger staff. Franklin Canyon staff will document all relevant information including, but not limited to, name and contact information of caller, address/location where event occurred, name of agency park involved in event, nature of event and date of event.

Franklin Canyon staff will submit this information to the Supervising Ranger who will, in turn, assign the appropriate ranger to contact the caller and arrange for a site visit. Upon visiting the site, ranger will document visit in a formal report, supplemented with comprehensive photos of the land failure and any resultant damage so that a third party can assess the extent of the land failure.

The responding ranger will also provide the caller or property owner with a formal warning of a dangerous condition of public property and with an information sheet with contact information for MRCA staff counsel, the appropriate local government safety/compliance office. Ranger will also ask caller/homeowner to sign a form acknowledging that the ranger responded and acknowledging the receipt of the formal warning.

If, in the opinion of the responding ranger, the land failure has created an unsafe condition that puts the safety of the neighbors and/or the general public in immediate danger, he or she will contact the Chief Ranger, or his designee, to make a final determination. If the Chief Ranger or his designee determines that an immediate threat to public safety exists, he will cause formal warnings to be issued to all potentially endangered residents,

homeowners or members of the public.

II. Rapid Response Cleanup

If, after initial site visit, it is determined that an immediate threat to public safety exists, the Executive Officer may arrange for MRCA personnel or designated contractor to complete immediate cleanup of debris. This action will only be taken if, a) in consultation with responding ranger, Executive Officer, in consultation with the Chief Ranger determines that an immediate public danger exists, b) a licensed geologist determines that debris cleanup will not exacerbate the land failure situation, and c) claimant agrees to sign a liability waiver.

III. Determination of Ownership

After completion, ranger shall forward report to Staff Counsel Jeff Maloney, while retaining a copy of report in his/her files.

Staff counsel will, in consultation with staff Geographic Information Systems specialist, determine if property owned by the MRCA (or any related agency) is involved or adjacent to the land failure event. If it is conclusively determined that no MRCA property is involved, staff counsel will inform claimant of ownership determination and, if possible, refer claimant to appropriate property owner. If location of land failure is unclear or ownership of property is sufficiently ambiguous, staff counsel will arrange for a formal survey of subject property. If formal survey determines that no MRCA property was involved, staff counsel will inform claimant of ownership information and refer claimant to appropriate property owner.

If it is determined that the property in question is MRCA property, property owner shall be directed to file a formal claim against the MRCA pursuant to MRCA claims policy.